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ABSTRACT

This project was implemented in 1982 as a result of legal action taken against the Texas Department of Human Resources (DHR) by clients of child protective services (CPS) who alleged that they were not given notice of all services available or of their right to a fair hearing. The goal of the project was to determine whether special fair-hearing policies and practices should be offered to clients, and, if so, how and when. This final report presents a process evaluation of the two-year project's progress toward meeting this goal, describes the methodology used, and concludes that fair hearings should be offered. Major issues addressed by the project, resolutions of these issues, and recommendations about implementing a fair-hearings procedure (Informal Panel Review--IPR) are outlined. The IPR's distinctive features, structure, and function are also outlined. Information about the IPR was distributed to CPS clients in two regions of the state. Structured observations of five IPRs, structured interviews of clients and panel members, questionnaires completed by caseworkers and their supervisors, and a 20 percent random sample of CPS clients were included in an evaluation of a pilot test of the IPR model. The report concludes with recommendations regarding statewide implementation of fair-hearings policy and procedures. A summary of a study of current fair hearing practices in all fifty states and the proposed evaluation of the IPR model are appended. (Author/CB)

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Final Report: Innovations in Protective Services

P.L. 93-247 Grant Award #06C23/08

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Project to Study Fair-Hearings Practices in Child Protective Services

September 30, 1984

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Office of Programs
Texas Department of Human Resources

PROJECT TO STUDY FAIR-HEARINGS PRACTICES IN CHILD-PROTECTIVE SERVICES

Final Report

September 1, 1982, through August 31, 1984

September 30, 1984

Submitted by

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and

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Headquarters personnel in Austin who supported the project included Marina Henderson and Paul Leche, who served as legal consultants, and Kay E. Love, who served as liaison for the Protective Services for Families and Children Branch. From the Office of Research, Demonstration, and Evaluation (ORDE)--headed by Assistant Commissioner Suzette Ashworth, Ph.D.--efforts were contributed by members of ORDE's Research and Demonstration Division, which is administered by Kent Gummerman, Ph.D. Lucretia Dennis-Small monitored project progress and wrote the process description and the required federal reports. Nicholas Constant and Phyllis Jamar edited and produced the reports.

GENERAL INTRODUCTION

Six projects, funded by P.L. 93-247 state grant money and jointly entitled Innovations in Protective Services, tested ideas for improving protective services for children. Overall goals established for the six projects were to—

- o strengthen permanent planning,
- o maximize the use of volunteers,
- o strengthen intake and investigation,
- o strengthen in-home service delivery, and
- o expand the usefulness of information systems.

Additional goals and objectives were developed for each project.

The six projects are Project to Study Fair-Hearings Practices in Child Protective Services; Impact of Protective Services; Coordinated Approach to Investigations and Information-Sharing; Group Services for Child Protective Clients; Foster Child Advocate Services; and Multidisciplinary Institute for Child Sexual Abuse Intervention and Treatment Project.

Copies can be obtained by writing to—

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EXECUTIVE SUMMARY

The Project to Study Fair-Hearings Practices in Child Protective Services was implemented in 1982 by the Texas Department of Human Resources (DHR). The goal of the project was to determine whether special fair-hearings policies and practices should be offered to clients of child protective services (CPS) and, if so, how and when. This final report presents a process evaluation of the two-year project's progress toward achievement of its established goal and objectives. The report describes the methodology used to conclude that fair hearings should be offered to CPS clients. It also discusses the roles of three nationally known legal and social work consultants in collaboration with the project manager and DHR's Legal Division throughout the project.

Major issues addressed by the project, resolutions of these issues, and recommendations about implementing a fair-hearings procedures (Informal Panel Review--IPR) are outlined. The IPR's distinctive features, structure, and function are also addressed. The report concludes with recommendations regarding statewide implementation of fair-hearings policy and procedures.

OVERVIEW

The Texas Department of Human Resources (DHR) receives and investigates reports of suspected child abuse and neglect. When abuse or neglect is found, DHR provides services that are directed at protecting children from further harm. Sometimes in the casework process, staff decisions about what services should be offered conflict with the client's perceptions of needed or desired services.

In 1982, legal action was taken against DHR in cases where child protective services clients alleged that they were not given notice of all services available to ameliorate their situation or of their right to a fair hearing. These cases highlighted the fact that DHR had not designed policies specific to protective services for routinely notifying clients of all available services and of their right to a fair hearing or for providing fair hearings for these clients. Since these clients differ from other DHR clients in that they do not ordinarily request services, it was possible that notification and fair-hearings policies used for other program areas were inappropriate for child protective services (CPS). Many questions were raised about the legal requirements and programmatic issues related to notifying CPS clients and conducting fair hearings. Department administrators recognized that substantial legal and practice-related issues had to be resolved before DHR could determine whether special fair-hearings policy and practice should be offered to CPS clients, and, if so, how and when.

With funds granted under P.L. 93-247, DHR awarded its administrative Region 10 a two-year budget to study CPS fair-hearings practices, to recommend a fair-hearings model, and to pilot test the recommended model.

In its first year, the Project to Study Fair-Hearings Practices in Child Protective Services studied issues related to fair hearings in order to determine whether special policy and practices were needed. The study determined a need and--based on their research of current legal, social work, and practice related issues--the project staff developed and pilot tested model practices and draft written materials for clients.

This final report is a process evaluation of the project's second year, for which the following objective were established:

- Objective 1--to choose the appropriate fair-hearings (or other due process) model that will be pilot tested;

- Objective 2--to pilot test the use of the fair-hearings (or other due process) system;

- Objective 3--to study the usefulness of the model; and

- Objective 4--to make recommendations regarding statewide implementation of fair-hearings (or other due process) policy and procedures (if the project results indicate that statewide implementation is appropriate).

The recommended due process model is called the informal panel review (IPR). After strong recommendations by consultants and the executive committee to the project manager, testing of the IPR was initiated. This final report describes the decision to test the IPR and the results of the pilot test in the two regions where it was implemented.

BACKGROUND

ORIGIN OF THE PROBLEM

The right to appeal service delivery standards is basic in all social services delivered by DHR. The lack of explicit provisions for fair hearings in child protective services concerned department administrators. Legal actions against DHR (in cases where CPS clients alleged that they were not given notice of all services available to ameliorate their situations or of their right to a fair hearing) emphasized the need for policies designed specifically for protective services clients.

IDENTIFICATION OF ISSUES

Because there were no provisions for fair hearings in social services, programmatic and legal issues had to be resolved to determine whether such hearings should be offered and, if so, how and when. At the project's beginning, these questions issues had to be addressed:

- What legal requirements exist for providing fair hearings for protective services clients?

- How would legal processes and court orders for services affect the fair-hearings process, and how would fair hearings affect these legal processes?

- What is the effect on the fair-hearings concept and process of DHR's legal mandate to investigate reports of abuse and neglect?

- What fair-hearings practices have been used nationally and with what degree of success?

- What effect does the involuntary nature of protective services have on the fair-hearings process?

- If fair hearings are appropriate, at what point in the casework process should they be provided, and what casework actions should be subject to review in a fair hearing?

- What decisions should be subject to the appeals process? Should intake determinations be included? Should appeals be available for cases in which a petition for managing conservatorship (or other legal action) is pending?

These questions were researched by the project staff and consultants, and recommendations for a model to conduct fair hearings resulted from their findings.

INITIAL RESEARCH ON CURRENT PRACTICES AND LEGAL ISSUES

To begin the project, an executive committee was formed. The committee was made up of the DHR Region 10 attorney, the Region 10 director of Services to Families and Children, a protective services program specialist from DHR's state (central) office, two attorneys from the state office's Legal Division, and a representative from the Texas attorney general's office who had represented DHR in litigation involving the use of fair hearings in CPS. The executive committee and three nationally known consultants--Dr. Alexander Zaphris of the University of Houston Graduate School of Social Work, Dr. Donald T. Dickson of Rutgers University Graduate School of Social Work, and Professor Mark G. Yudof, Dean of the University of Texas Law School--aided the project manager, James Saunders, in determining the course the project should take.

SURVEY OF CURRENT PRACTICES AND LITERATURE REVIEW

The project manager conducted a survey of current fair-hearings procedures by sending a preliminary questionnaire to all states to determine whether fair hearings or their administrative equivalent were being offered to CPS clients. Also, the questionnaire asked what services could be appealed, who conducted appeal hearings, and the name of a person who could be interviewed further about that state's CPS fair hearings procedures.

The preliminary survey questionnaire was mailed to 49 states. After some follow-up telephone work, all states responded. Some sent copies of their CPS fair-hearings policies, and some of these respondents were recontacted by telephone for additional information. Findings from the survey (see Appendix A) revealed the following practices:

- the absence of routinely available fair hearings in CPS,
- the existence and substance of specific CPS policy relating to fair hearings,
- the use of notice to advise CPS clients of services available to them,
- the use of notice to advise CPS clients of their rights to a fair hearing, and
- the anticipation of problems and benefits from required fair hearings.

Only eight states indicated the existence of any special provisions concerning fair hearings to CPS clients in their policy manuals--Delaware, Illinois, Maine, New Jersey, New York, Oregon, Pennsylvania, and Rhode Island. Materials sent from those states were reviewed.

In addition to its nationwide survey of agency activities, the staff reviewed the social work literature to determine the state of the art in fair-hearings for CPS clients and compiled a bibliography on current practices and procedures.

CONSULTANTS' RESEARCH

The project's legal and social work consultants reached a consensus that something less than an extensive, formal fair hearing might be preferable for the purpose of CPS. They explored several alternatives to the traditional fair hearing, including family team conferences, intensive family-centered counseling, administrative review, administrative fair hearing, periodic reviews, rudimentary due process model, ombudsmen model, natural justice model, external review panel, and hybrid advisory panel.

Legal research was conducted to review existing statutes on due process protection specifically intended for CPS clients. Professor Mark G. Yudof had primary responsibility for researching constitutional requirements and implications of informal due process protection in preadjudicatory phases of CPS. Professor Yudof explored the theoretical legal dimensions of due process as related to CPS, conducted research on the issue of the impact of the new Title IV-B regulations on fair-hearings procedures, and submitted his findings to the executive committee and the project manager in June 1983.

CHOICE OF A MODEL

Based on research by the project's staff and consultants, the executive committee made its final recommendation that an informal review was more desirable than the alternative formal appeals procedures.

The project manager, the regional administrative staff, the executive committee, and the consultants agreed that fair hearings were required by federal regulations and were programmatically indicated. In order to meet these requirements, the following specific recommendations were made by consultants for inclusion in the pilot:

- The model should be used in some way to address the interests of the child(ren) involved.

- The notice of right to a hearing or alternative review should be given both orally and in writing.

- The process should be simple in nature in order to avoid serious problems that could develop from an inundation of requests for hearings or alternative reviews.

Another strong recommendation of the project manager and consultants was that the written notice, in pamphlet form, should be flexible, adaptable, oriented toward protecting clients (child and parents), and cost-efficient.

DEVELOPMENT OF THE FAIR-HEARINGS MODEL

The recommendations of the consultants and the executive committee to the project manager resulted in the development of a pamphlet to be issued to CPS clients in a pilot to test fair-hearings practices or alternative reviews. The executive committee and DHR's Legal Division designed and approved the pamphlet. It contains a definition of CPS, a description of decisions subject to agency review, and review procedures.

During the survey of the other 49 states, the project manager found that Delaware had a pamphlet that provided for a two-step review of client complaints. Dr. Dickson, the social work consultant, talked with Delaware officials about clients' acceptance of the material, the impact that issuance of the material made on service delivery, and the volume of fair hearings requested. Although Deleware's fair-hearings procedures had only been in effect six months, and officials there felt it would be difficult to measure any perceived results, the project's executive committee decided to formulate draft material using Delaware's model and to put the material into pamphlet format.

Draft materials were circulated for review and comment from Region 10 program directors and supervisory staff. DHR's legal and program staff reviewed and approved the final draft of the pamphlet entitled "Child Protective Service: A Parent's Guide." (available separately from the Texas Department of Human Resources). This pamphlet was distributed to CPS clients during the test of the model.

The project manager reviewed recommendations of the executive committee and project consultants, and the basic design of the due process model was finalized. The recommended model was the informal panel review (IPR).

The principal characteristics of the IPR are that it is impartial, unthreatening, and easily accessible to CPS clients. Additionally, the model is designed to have a positive effect on service delivery. The panels consist of two child welfare board members and one CPS supervisor not previously involved in the case. The board members were included on the review panels to enhance the impartiality of those hearing complaints; the CPS supervisor was included to enhance the review panel's knowledge of DHR procedures. The infor-

mality of the panel setting, it was believed, would make the procedure less threatening to clients than formal court proceedings.

The client was encouraged to present her or his own complaints to the review panel in the presence of the caseworker/supervisor handling the case. Although it was not the intent of the IPR, the client could choose to be represented by an attorney.

The basic design was presented to a meeting of regional directors (the DHR officials responsible for CPS programs in each multicounty region). The regional directors recommended expanding IPR to include a forum for processing complaints of older children (12 to 17 years of age). The state office Legal Division and the Protective Services for Families and Children Branch (PSFC) in Austin decided not to incorporate this recommendation into the pilot because the number of fair hearings might prove unwieldy for the project staff.

The final draft of the proposed model was submitted to the assistant commissioner for PSFC. The Legal Division, which had an active role and gave input on legal issues throughout the project, advised the assistant commissioner that the proposal was legally sound, and he approved a pilot test of the model.

PILOT TEST

Preparations began in September 1983 for the pilot test of the recommended due process model. Initially, the project manager proposed to conduct the pilot test in Region 10 alone. However, funding for the second year was contingent on the pilot being tested in more than one region. Upon the executive committee's recommendation, the regional director and the program director in Region 6 and were approached about participating in the pilot test of the IPR. They wanted to take part but asked that their participation be limited. Travis, Williamson, and Hayes counties in Region 6 were picked as sites to participate in the pilot test. These counties were chosen because of their urban setting, their ethnic variety, and their geographic closeness to each other.

Once the sites of the pilot test were chosen and DHR's Office of the General Counsel and PSFC had approved the test procedures, CPS staff members in regions 6 and 10 were trained. The training was mandatory for each CPS staff member who participated in the pilot in the two regions.

The project manager and the regional trainer for CPS conducted the one-day training in Region 10. Alexander Zaphiris, a project consultant, conducted the training in Region 6. The regional attorney for Region 10 provided technical assistance during the training

sessions in both cities. Training for the pilot test included a study of due process, a discussion and explanation of the background and rationale for the project, and an explanation and discussion of the pamphlet and procedures developed for the pilot test.

In Region 10, staff members began delivering pamphlets explaining the IPR to CPS clients on November 1. On December 1, CPS clients in Region 6 began receiving their pamphlets, which were delivered by caseworkers at monthly visits. Every CPS client in Region 10 and Region 6 received a pamphlet.

The project manager monitored the pilot test. Through regularly scheduled meetings he informed regional administrative staff, project consultants, and executive committee members about progress and problems encountered.

On December 21, 1983, the first two informal panel reviews were held in Region 6. Mechanically, the IPRs worked well. Subsequent interviews with the clients involved in these IPRs indicated they felt positively about the availability of this review.

By March 1, 1984, two more IPR's had been requested and conducted--one in Region 6 and one in Region 10. By this time, staff members' initial fears of inundation with requests for IPRs had not materialized. During the pilot test, a total of five IPRs were held.

The five IPRs brought up the issue of representation by attorneys, especially for clients who were not present. The executive committee considered the issue and decided that, during the pilot test, absent CPS clients could be represented by attorneys at IPRs but that this practice would not be encouraged. Also, the committee decided that all DHR regional attorneys would be advised of IPRs pending in their regions. If they chose, regional attorneys would be allowed the opportunity to attend these hearings.

DETERMINING THE MODEL'S USEFULNESS

Throughout the course of the pilot, data were collected from various sources in order to determine the effectiveness of the model. Dr. Dickson, the social work consultant, developed research methods for data collection (Appendix B) that were incorporated into the pilot and used to measure its effectiveness.

- Data were collected at all IPRs using a structured observation form.

- Structured interviews were used to gather information from staff members and clients who used the IPRs.

- A post review questionnaire was used to obtain information from IPR panel members.

- Questionnaires were used to gather data from DHR caseworkers and supervisors about their awareness, knowledge, and reactions before and after the IPR.

- A 20 percent random sample of CPS clients in Regions 10 and 6 was identified and interviewed to gather data on client awareness and knowledge of the IPR.

Although the primary goal of the project was to meet clients' legal due process needs in a manner consistent with good social work practice and legal requirements, the following issues were considered during the project: providing more appropriate services to CPS clients; improving clients' use of services; improving clients' understanding of social work decisions; increasing client participation in social work service decisions; improving CPS casework; and positively affecting relationships among agency, client, and worker by increasing the client's sense of dignity and participation.

RECOMMENDATIONS FOR STATEWIDE USE

During the final quarter of fiscal year 1984 the project manager met with executive committee members representing the state office Legal Division and the Protective Services for Families and Children Branch. At the meeting, both Legal and PSFC recommended statewide implementation of some form of the IPR procedure in fiscal year 1985.

These changes in the IPR procedure were suggested in the meeting:

- implementation should include rule changes requiring the presence of the client at the IPR;

- the IPR should be made a prerequisite to a traditional fair hearing;

- a standard form should be developed for recording the activities of the IPR; and

- a standard form should be developed for recording the sign-off/veto of the program director.

One major issue still unresolved is whether or not to recommend opening up the IPR procedure to complaints of older children.

The project manager worked with PSFC to develop procedural guidelines and forms to be considered for use when the IPR is implemented statewide.

PROJECT REPORTS

A summary (Appendix A), the project pamphlet, and proposed procedures for project activities were prepared and sent to the 49 states surveyed.

Project consultants are reporting research findings in a book; methods and details for its distribution have not been finalized. The proposed evaluation plan is attached as Appendix B.

SUMMARY OF A STUDY OF CURRENT PRACTICES IN FAIR HEARINGS FOR CHILD PROTECTIVE SERVICE CLIENTS

By James E. Saunders
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Fair Hearing Practices in CPS
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The question of just how much process is due child protective service (CPS) clients has been under focus recently in Texas. Legal action brought against DHR (Dorsey v Moore 719 F. Supp. 812) challenged existing practices for providing fair hearings to CPS clients in that state.

Although Federal Regulations seem clearly to require fair hearings in at least some areas of CPS,1 the initial reaction of most CPS professionals is that they are both inappropriate and unnecessary. Because CPS is closely associated with the courts, it is generally assumed that whatever process is due is provided in that forum. This assumption, however, ignores the fact that the great majority of service decisions made in CPS are never reviewed by any court.

The argument that fair hearings are inappropriate for CPS may be stronger, though. Fair hearings in the Goldberg sense,2 have been developed in response to an entitlement theory of social welfare and do not reflect the involuntary and professional decision makers nature of CPS.

Acknowledging that some type of fair hearings might be required in CPS by federal law, but believing that the Goldberg model was inappropriate to the characteristics of CPS, the Texas Department of Human Resources in 1982 initiated a project3 to develop and test fair hearing practices for child protective services.

As its first objective, the project conducted a study of current practices in fair hearings in Child Protective Services throughout the country. Specifically, the study addressed the presence or lack of fair hearings in each state, the specifics of the policy, and problems or benefits in those states where there are fair hearings.

The purpose of this paper is to present the findings of that study and shed some light on how social service agencies across the country are dealing with the current federal regulation concerning fair hearings.

An Executive Committee for the project, consisting of State Office representatives from legal and CPS program areas, as well as Administrative personnel from a 15 county region of DHR,4 was formed. Under the direction of this committee, a preliminary questionnaire was sent to all states in order to determine whether or not fair hearings or their administrative equivalent were being offered to CPS clients, what services were appealable, who was hearing the appeals, and who could be contacted for further information.

Through the use of telephone follow ups, all 50 states are represented in the findings. In addition to the data included from the questionnaire, many states sent copies of their CPS policy as it applies to fair hearings, and many were re-contacted by telephone for further information.

Through the data included on the questionnaire, supplementary material furnished by the states, and telephone follow ups, several issues were identified in the various states. They were:

1. the presence or lack of fair hearings in CPS,
2. the existence and substance of specific CPS policy relating to fair hearings,
3. the use of notice to advise CPS clients of the various amelioritive and rehabilitative services available to them,
4. the use of notice to advise CPS clients of their right to a fair hearing or its administrative equivalent,
5. the impact of the requested versus the non-requested nature of the services being appealed, and
6. problems and benefits the states have experienced in the use of fair hearings.

THE PRESENCE OR LACK OF FAIR HEARINGS IN CHILD PROTECTIVE SERVICES

Thirty-four states indicated that fair hearings were available to CPS clients. However, the telephone follow up indicated that the great majority of these states had had very few if any appeals and that some allowed appeals only in regard to the dispositional findings of the initial abuse/neglect referral. The states which indicated the availability of fair hearings to CPS clients were:

Alaska	Maryland	Oregon
Arkansas	Massachusetts	Pennsylvania
Colorado	Minnesota	Rhode Island
Connecticut	Mississippi	Texas
Delaware	Missouri	Utah
Hawaii	Montana	Vermont
Idaho	Nebraska	Virginia
Illinois	New Jersey	Washington
Iowa	New York	West Virginia
Kansas	North Carolina	Wisconsin
Kentucky	Ohio	
Maine	Oklahoma	

Unfortunately this large number of states is somewhat misleading, because only two states indicated what appeared to be a significant number of appeals in CPS. They were Iowa and Minnesota. Even these states have had very few appeals.

Minnesota and Iowa categorize all appeals in the social services area together and had no firm figures on the number of pure CPS appeals. Iowa indicated the largest number with as many as twenty-four per year.

The following states indicated that they did not offer hearings for CPS clients:

Alabama	Indiana	Tennessee
Arizona	New Mexico	South Dakota
California	North Dakota	Michigan
Georgia	Nevada	New Hampshire
Louisiana	South Carolina	

These responses may also be misleading in that several of them reflect the fact that fair hearings have simply not been requested, and not a firmly set approach to the issue. Alabama, California, Arizona, and New Hampshire indicated in the telephone follow up that they would probably oblige a request for a fair hearing if one were made.

New Mexico, Georgia, and North Dakota on the other hand more firmly indicated their position that fair hearings simply were not applicable to CPS because of the absence of requested service and the close relationship between CPS and the courts.

Several of the states indicated that they had two separate appeals systems for CPS. One was set up especially to allow for the review of the determinations of initial investigations of reports of abuse or neglect and to provide for the possible expungement of CPS records. The second system involved a review system for aspects of the case plan and treatment process with which the client was dissatisfied. It is the latter with which this study was primarily concerned.

A large majority of the states indicated on the questionnaire that CPS clients were provided an opportunity for a fair hearing, but very few have had any hearings. For the most part the states which have provided hearings have done so at the request of various legal aid agencies or other client advocacy groups. Maine has given considerable attention to the distinctiveness of CPS as compared to other program areas in developing their appeals policy, but even that state has only had about four fair hearings involving CPS clients.

POLICY SPECIFIC TO CPS

Most of states that have offered or would offer fair hearings to CPS clients have used or plan to use the established review mechanisms used in other program areas. Only nine states indicated the existence of any special provisions concerning fair hearings in their CPS policy manuals. They were Alaska, Delaware, Illinois, Maine, New Jersey, New York, Oregon, Pennsylvania, and Rhode Island.[5]

The protections provided CPS clients in these states are closely modeled after the Goldberg model. A few states have substituted a CPS professional for the regular hearing officer in an effort to address the professional decision making nature of CPS.

The due process elements characteristic of a Goldberg hearing,[6] however, appear in most of the models.

THE USE OF NOTICE TO ADVISE CHILD PROTECTIVE SERVICES CLIENTS OF SERVICES AVAILABLE

One for the issues present in the litigation in Texas was the absence of a system of routinely informing clients of all the ameliorative and rehabilitative services available to them. The contention is that a failure to provide a client with a laundry list of available services from which to choose effectively denies those services to the client.

Only four states, Arizona, Delaware, Iowa, and Ohio indicated that they used any such notice. The materials used varied greatly in approach, design, and content. The common practice in CPS is to include clients in the case planning phase and discuss any services the worker sees as appropriate with the client.

In Ohio the services available through an agency are listed in their social services handbook, and workers refer back to that list when discussing case plans with clients. This process appears to be the closest thing to the laundry list approach being used.

The services listed include:

a. Receipt and investigation of referrals
b. Individual counseling
c. Emergency homemakers
d. Emergency home health aides
e. Temporary emergency shelter placement
f. Legal services for the child
g. Psychotherapy, individual
h. Psychotherapy, group
i. Ongoing supervision of the child receiving protective services including time spent making collateral contacts
j. Transportation
k. Individual counseling
l. Group counseling

m. Homemaker services

n. Home health aide services

o. Foster home or residential placement of children

p. Home management to an individual or family

q. Home management in a formal group setting

Delaware uses a very interesting approach. At the point of intake a thirteen page pamphlet is given to all parents being investigated for child abuse or neglect. The booklet is called Child Protective Services Handbook for Parents.

It appears non threatening and serves to explain and answer many questions parents often have about CPS. The following questions are answered very briefly (one or two paragraphs):

a. What is Child Protective Services?

b. How does my name become known to CPS?

c. What right does a CPS worker have to come to my home?

d. What other services are available to me and my family?

e. What do you expect of me?

f. What are my rights and responsibilities?

g. What are my child's rights?

h. What is Placement Services?

i. How do I plan for my child's future?

j. What is Termination of Parental Rights?

k. What can I do if I disagree with the CPS worker?

l. What is a Fair Hearing?

m. How can I get a lawyer?

The brochure is not detailed in its explanation of available services, but does acquaint the client with general operations of CPS. This section explaining other available services simply says,

> Child Protective Services is provided by the Division of Social Services without regard to the family's income . . .
>
> The worker may help you and your family by providing counseling; and helping you to decide what services are available and how to complete the referral process.
>
> You should discuss any problems you or your family might have with your social worker. The worker is aware of a number of service programs that may be useful and will explain each of them.

Although the explanation of services is not as thorough as in Ohio, the approach is interesting and offers itself to expansion.

THE USE OF NOTICE TO ADVISE CHILD PROTECTIVE SERVICE CLIENTS OF THEIR RIGHT TO A FAIR HEARING

Although thirty-five states indicated fair hearings were available to CPS clients, only nine states indicated that CPS clients were routinely informed of this right and one other state, Maine, indicated that such notice in the form of a brochure similar to Delaware's was to begin soon. The nine states were: Delaware, Massachusetts, Minnesota, New Jersey, New York, Pennsylvania, Rhode Island, Wisconsin, and New Hampshire.

Delaware uses the same brochure that is used to explain CPS. A section titled "What is a Fair Hearing" answers simply:

> "If you have a complaint or feel you have been treated unfairly, you should call, write or visit the office of the Division of Social Services in the county in which you live. If we cannot resolve your problem you may ask for a Fair Hearing. This gives you the opportunity to present your complaints before an impartial hearing officer."

The brochure containing this information is given to every potential client at the point of intake.

In Massachusetts, according to the telephone follow up, CPS clients are told of their right to a fair hearing anytime there is a denial, reduction, suspension, or termination of services. The notice if verbal. All clients also receive a written statement of their rights, including the right to appeal, when a case is opened.

All CPS clients in Minnesota complete an application for service before protective services are provided. The application contains written notice of their right to a fair hearing (see Appendix D). They sign the application and receive a copy.

New Jersey only provides fair hearings for clients when they actually request a service. When there is a request for services, however, a client is advised of his right to request a fair hearing if the service is denied or subsequently reduced or suspended. This notice may not always be given in writing, but is required.

In New York notice of a right to a fair hearing is routinely given only after a client has expressed dissatisfaction and exhausted his first remedy which is administrative (supervisorial) review. If he is still dissatisfied at that point he is informed of his right to a fair hearing. This procedure is considerably different from the expungement procedure in which the client is told in intake that he can appeal the findings of the intake investigation.

Pennsylvania clients are given, along with a copy of their service plan, a written notice of their right to appeal to the Department's Office of Hearings and Appeals, any determination which:

a. results in a denial, reduction, or termination of services.

b. results in the determination that the parents or child must participate in a service.

c. fails to take into account the parents' or child's choice of service.

d. fails to act upon a request for service with reasonable promptness.

In Rhode Island a statement of a client's rights to a fair hearing is included in the case plan. The client signs both the case plan and the specific entry referring to fair hearing.

Wisconsin also includes a statement of the right to a fair hearing in the case plan. Parents do not specifically sign that notice however.

New Hampshire only informs clients of their right to a fair hearing if the clients are receiving paid social services. If the client is receiving paid social services he must complete an application which contains a statement of his right to a fair hearing.

THE IMPACT OF THE REQUESTED VS THE NON-REQUESTED NATURE OF THE SERVICES

Several states indicated that clients who came into a CPS office and requested services would be treated differently from involuntary clients in regard to the use of fair hearings.

In New Jersey appeals are only available to clients who have specifically requested services. The rationale given for this approach is two fold according to the Administrative Hearings Coordinator for New Jersey:

1. "Services the client does not request are those ordered by the court so DYFS (Division of Youth and Family Services) would have no jurisdiction to offer a Fair Hearing to review court ordered services, and

2. If a service is not requested by a client, the client is usually pleased when the service is terminated and does not want a Fair Hearing."

Ohio presently offers fair hearings only to voluntary clients under Title XX, but is developing policy to make them available to involuntary clients.

North Carolina provides fair hearings in situations involving the denial, reduction or termination of requested services.

Many states indicated uncertainty as to whether or not clients requesting services received the same protections as involuntary clients. Fifteen states indicated that treatment was the same for both sets of clients.

SUMMARY

Three issues stood out as being important to many of the states. They were:

a. that fair hearings could be beneficial in terms of better case management, client involvement, and permanency planning,

b. that two level appeals systems would be more acceptable to staff and that they could reduce the number of hearings,

c. and that it would be beneficial for hearing officers to have special training in CPS.

A fourth issue seemed to lurk somewhere under the surface of the sea of responses. That issue centered around a sense that most states feared the provision of informal due process protections to CPS clients. Although they acknowledged the legal requirements and conceded many benefits, they seemed to fear the element of uncertainty and change. There was a healthy fear that too much attention paid the issue might result in an inundation of requests for fair hearings on every conceivable issue and lead to a complete breakdown of the casework process.

This issue has been addressed in Texas where an alternative to the traditional fair hearing has been piloted. It is not, however, the purpose of this paper to describe that aspect of the study.

TEXAS DEPARTMENT OF HUMAN RESOURCES

FAIR HEARINGS PROJECT

PROPOSED EVALUATION OF THE INFORMAL PANEL REVIEW (IPR)

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I. INTRODUCTION: PURPOSES AND FORMS OF EVALUATION

Program evaluations differ from other forms of research--particularly classical experimental research--in both the kinds of questions answered (outcomes) and the ways by which those questions are addressed (methodology).[1]

In classical experimental research a population is first randomly assigned to experimental and control groups to insure comparability. then the experimental population is exposed to a stimulus or treatment, while the control group receives none, with other stimuli being controlled. Then the populations are compared, and changes in the experimental population not occurring in the control population are attributable to the stimulus or treatment. The methodology is controlled, randomized and comparative. The outcome is the effect of the stimulus.

Program evaluation is inherently different in that it occurs in an action setting. It occurs in the "real world" and not in a black box. The program to be evaluated is subjected to external forces and possibly internally induced changes. The luxury of a controlled, randomized setting is not possible. Therefore, the evaluation methodology is different. At best one can hope for "quasi-experimental designs" or perhaps longitudinal studies with pre-program and post-program measurements, or case studies.[2]

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[1] See Generally Edward Suchman, "Evaluating Education Programs" in Frances Caro, Readings in Evaluative Research; (2nd ed. (pp. 40-53 (1977). Frances Caro, "Evaluation Research: An Overview" in Caro, op cit, pp. 3-38; Carol Weiss (ed) Evaluating Action Programs (1972); Carol Weiss (ed) Evaluation Research (1979).

[2] See Donald T. Campbell and J.C. Stanley, Experimental and Quasi Experimental Design; Donald T. Campbell "Reform as Experiment" in Weiss (ed) op cit, pp. 187-224.

In some ways, such less rigorous designs are more useful, in that they provide more relevant information about program effects. For administrators evaluating programs questions of why a program produced--or didn't produce--an outcome, or for what population there was an effect or no effect are often as important as questions of whether a program was an overall success or a failure. Administrators in an action setting are understandably more interested in obtaining information which can be used to modify a program to make it more effective than to merely find out if the program was a "success" or a "failure".[3]

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[3] "Evaluative research provides the basic information for designing and redesigning action programs. Just as non-evaluative research holds out the hope of increased understanding of basic processes, so does evaluative research aim at an increased understanding of applied or administrative processes....the goal of evaluative research extends beyond simply determining success or failure toward knowing why success or failure occurred and what can be done about it. Evaluation, in this sense, involves more than judging; it also encompasses understanding and redefinition". Edward Suchman, Evaluative Research (1967).

II. THE PROGRAM: THE INFORMAL PANEL REVIEW

The Informal Panel Review (IPR) Program is to be launched as a pilot project in two areas in Texas, Region 10 and the Travis County (Austin) area. The population in these areas is diverse, including urban and rural, middle and lower income groups and white and minority populations.

The purpose of the IPR is to provide an informal forum for protective services clients in which to question social work decisions about providing, refusing or terminating services, or who are dissatisfied with the delivery, quality or appropriateness of services provided. Although goals are not formally specified, they seem to include:

1) to provide more appropriate services for protective services clientel;
2) to improve client use of provided services;
3) to improve client understanding of social work service decisions;
4) to increase client participation in social work service decisions;
5) to improve protective service casework;
6) to positively affect agency-client and worker-client relationships by increasing the clients' sense of participation and dignity.

Under the IPR, clients are to receive written and oral information about IPR purposes and procedures soon after the opening of a protective services case. For cases already open, clients are to be informed of the IPR as part of their on-

going contact with the agency. Staff are to be trained in the purposes and procedures of the IPR to improve their knowledge of the program and so that they can provide accurate information to protective services clientele.

The information provided to clients instructs them that they have a right to an informal panel review if they and their caseworker cannot agree on service-related decisions, including refusal or denial of a requested service, termination of services, reduction of services or other service-related dissatisfaction. Clients wishing to avail themselves of a hearing inform their worker, either orally or in writing, and are provided with a form requesting a hearing, which they may fill out.

Once a hearing has been requested, it is held within 10 working days. The hearing is an informal proceeding, at which the client and social worker appear before a three-person panel, composed of individuals not directly involved in the case. The clients may be accompanied by a friend or advocate, including an attorney, but this person does not serve in an adversary role. Other individuals may be called upon as necessary. The client and the social worker may make statements, provide information or raise questions. The IPR panel clarifies issues and gathers information for decision-making. The IPR panel chairperson has a particularly important role in guiding the meeting, informing the client of his or her rights and in facilitating the reaching of a decision. The chairperson also has the responsibility of submitting the panel's decision to the agency program director. This

decision is to be in written form, and contains both the recommendation and the basis for it. It is to be provided within 10 working days of the IPR. The IPR recommendation is advisory, with final decision authority resting with the Program Director. She or he must then provide a written decision to the client, worker, panel and project director within five working days.

Clients who disagree with the Program Director's decision may persue the matter through an agency formal fair hearing.

III. RESEARCH DESIGN

Proposed is a composite research design, which will address a number of program evaluation issues. The design includes case-study, longitudinal and comparative elements. The case study aspect is an on-going examination of the IPR's as they occur, and is designed to maximize information about IPR procedures and outcomes. The longitudinal study is a study of changes in staff and clients, which occur over the life of the pilot program. The comparative element is to ascertain how well the program works in two different settings, to provide some data on how well the program might work in an expanded form. Each aspect of the design will be examined below.

A. Case Study: The IPR

A case study allows the examination of a particular organization, program or event as a single case. Important to the case study method is what happens and why, with the goal a better understanding of the process and therefore the outcome.

In the IPR case study, data will be gathered primarily through observation of the hearings and the decison-making, and through structured interviews with the participants. If there are relatively few IPR's during the time of the pilot, it is important to monitor as many as possible, even a 100% sample, to maximize the data base. If there are more hearings, sampling could occur. Data on the IPR's will be gathered throughout the duration of the pilot program.

The case study methodology has the advantage of

an intense examination of a single case--or series of cases, to better understand the workings, strengths and weakness of the program. It has the potential limitation of limited generalizability. Will IPR's in different settings under different conditions work differently? To some extent, the use of two sites for the IPR's will reduce this problem, as will diversity in issues, participants and settings.

B. Longitudinal Study: Changes in Knowledge, Behavior and Belief.

The focus of the longitudinal study is change (or lack of change) over time. Comparison of data gathered early in the pilot with data gathered toward the end should give insight into changes which have taken place, and the duration of those changes. Are there changes in staff or client beliefs, perceptions or knowledge? Do these changes persist over time? Do clients or staff perform differently by the end of the pilot?

For the longitudinal study, data will be gathered on three groups: staff, clients who use the IPR and other clients in the two regions who have been given information about the IPR. Data will be gathered primarily at two points in time, near the inception of the pilot and toward the end of its first year. It may be necessary to gather selected data at other times to assess particular situations or effects.

In the longitudinal study data will be gathered primarily through questionnaires, interviews and limited analysis of case files. Depending upon the numbers involved, information would be gathered from staff and supervisory

personnel, from all clients who request an IPR and from a sample of clients who have not requested the IPR.

The longitudinal design methodology has the advantage of comparing early vs. late program data which produces data on changes over time. It has the limitation of limited generalizability in that, like the case study, there is limited geographical scope and it is difficult to control external influences. Again, use of two sites will somewhat increase generalizability.

Another possible limitation on the longitudinal design is that there may be an insufficient time lapse to produce much change. Changes induced by the program may take longer than the relatively short period of time available to the pilot.

C. Comparative Study: The Two Regions

Data will be collected in two distinct sites with some demographic differences. This diversity will give some chance to assess the effect of the program in multiple locations. To the extent there is such diversity, or to the extent different forms of the program are introduced, effects will be compared, both in terms of the IPR case study and the longitudinal analysis of behavior, belief and knowledge.

The comparative aspect has the strong advantage of increased generalizability. Here, two sites are better than one. Of course, generalizations based on a sample of two still are limited.

It may be desirable to gather some comparable data on staff or client beliefs from a third non-experimental site

with a similar population to see what differences are attributable to the program and what are inherent in the region or the population. This will depend on availability of the data, logistics and usefullness of the information.

IV. ISSUES FOR EVALUATION

Given the program's goals and procedures, a number of key issues have been identified for evaluation of the pilot project.

A. Client Understanding and Use of the Program

To what extent are clients aware of the IPR and its purposes. Have they received the necessary information and do they understand it? Do clients who disagree with service-related decisions avail themselves of the IPR? Why do they use it; why do they not use it? Are there patterned differences in client awareness or use of the IPR based on client demographics, service problems, geographic locations, worker differences or other factors?

B. Staff Understanding of the Program

How well do staff understand the purpose of the program? Do they perceive it as one which merely increases their burden or one with potential positive effects? Do they agree with the goals of the IPR, or do they see these as unnecessary or undesirable? How well do they understand the procedures of the IPR and their role in them?

C. Impact of the IPR on the Clients System

The IPR may have an impact on two groups of clients, those who actually use it and those who are aware of it but choosen not to use it.

1. Impact on Clients who Use the IPR

Are clients who use the IPR satisfied with the process? With the outcome? Is there a measurable impact on client progress or client use of services after using the IPR?

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Do clients who use the IPR use it again? Does use of the IPR affect client perceptions of the agency and its workers? Is there an effect on client understanding of agency decisions or an effect on client satisfaction? Are there changes in the client's sense of participation and sense of dignity, or changes in the client's sense of agency fairness?

2. Impact on Clients Aware of IPR Who Do Not Use It.

Does awareness of the IPR impact client progress or use of services? Is there any change in satisfaction with the agency and its services? Are there changes in the client's sense of participation and dignity or is there any change in client's sense of agency fairness?

D. Impact on Agency and Staff System

Does the existence of the program have an effect on social work practices and increase the use of appropriate services? Does it produce fewer complaints about inappropriate service decisions? What is the impact on the IPR on staff morale and general worker satisfaction with the agency. Is there any impact on worker perception of clients or of clients who use the IPR. Do staff get more careful and more effective supervision?

E. Assessment of IPR Procedures and Outcomes

How well do the existing IPR policies and procedures work? To what extent are they followed? How satisfied are participants with the process? With the outcomes? How costly are the IPR's in terms of time, money or other resources? What differences are there in hearing participation and to what can they be attributed? What difference does the pre-

sence of a client advocate make? How well do staff and clients represent themselves? What is the impact of the IPR on subsequent litigation, including requests for a fair hearing?

V. RESEARCH METHODOLOGY AND INSTRUMENTATION

Data will be gathered from a number of different sources using a variety of data gathering techniques. Where possible, existing data will be used, both to limit cost of data collection and to minimize disruption of agency work. In cases where additional data are required, efforts will be made to minimize disruption of normal agency routine.

A. Existing Data. Data on client demographics, presenting problems and use of service should be available from existing files. Data on client progress and use of services are available from worker assessment forms and from at least two service assessment forms (Homemaker and Parenting Assessment forms) at least in Region 10. For these data, a structured file abstraction instrument should produce the required information.

B. New Data. New data will be gathered from a variety fo sources. Observation data will be collected on all IPR's using a structured observation form. Some training in the use of the form will be necessary to maximize observer reliability.

Information will be gathered from those staff and clients who use the IPR and IPR panel members by means of structured interviews following the hearing/decision-making.

Data on staff awareness and knowledge of the IPR and reactions to it will be gathered through a questionnaire. Data on client awareness and knowledge of the IPR, perceived service needs and reasons for using or not using the IPR's will be gathered by interviews with a sample of clients.

Additional data on client and staff beliefs, degree of satisfaction and views about the program will be gathered by questionnaires administered early in the program and toward the end of the pilot. In the case of clients, interviews and sampling will probably be necessary.

C. Reliability and Validity. Where possible (eg. worker satisfaction and morale) existing instruments or modifications of instruments will be used to increase validity and reliability. Some pretesting of file analysis and client interview instruments is desirable. Use of structured interviews and observations schedules should increase reliability as will training of interviewers and observers.

D. Confidentiality and Privacy. Agency and State regulations regarding confidentiality and privacy will be observed at all times. No identifying information will be released, and all information gathered by researchers should be released only in aggregate from. No identifying information will be included in any staff questionnaires. Client identifying information will only be used to correlate client file analyses with client interviews or observations. Only research personnel should have access to research data.

(Client Interview Form--Knowledge of IPR, Perceptions of Workers and Agency)

TEXAS DEPARTMENT OF HUMAN RESOURCES

FAIR HEARINGS PROJECT

Interviewer: Hello, my name is and I am working with the Texas Department of Human Resources. We are trying to get some information about how much people know about the new Informal Panel Review Program and also some opinions from protective service clients about the agency. I'd like to ask you a few questions about it? Is that o.k.? Remember nothing you say will be seen by any of the workers or supervisors at the agency. All the responses will be collected and combined, and any report on the responses will only present the combined information.

1. Have you heard about the Informal Panel Review?
   If you have, how did you learn about it? (note as many as mentioned)(If haven't heard of it, skip to #9).

2. Do you know what it is for? What it is supposed to do? (record key words e.g. decide things, settle disputes, etc.--does client have a clear knowledge of IPR purpose, some knowledge, vague knowledge, mistaken knowledge, nothing?)(If mistaken or no knowledge, skip to #9).

3. (If some knowledge, ask) What kinds of things might a client want to take to the IPR to decide, what kinds of problems? (record whether service related or other, what kind of service related etc.)

4. Do you know how it works? Who is on the panel? Is the case worker there? Can you bring a friend or an attorney? Do you get a chance to speak and ask questions?

5. When the panel makes a decision, is that final--does that decide the question or does someone else then make a final decision? Do you know who that might be?

6. You've been very helpful. I have just a few more questios here. We are also interested in whether people might use the IPR or not. Do you think you would ever use it? (If would use: How would it help you?)(If would not use: Why wouldn't you use it?)(After response: "Anything else--any other ways it would/wouldn't help?)

7. Whether or not you personally might use it, do you think others would use it? Why or why not?

8. As you understand the IPR, do you think it would take a lot of time if you went to one?
   Do you think it would cost you anything--any money? ____
   Do you think it would be fair? ____
   Do you think it would change anything? Would it help? ____
   Do you think your caseworker might be upset if you asked for one? Do you think her/his supervisor would be upset? ____

9. Now I have a few questions about the kinds of services the agency has provided you. Can you think of a time when the agency didn't do something for you--or for someone in your family--give you some sort of service--that you wanted? Can you tell me about it?

10. Can you think of a time when the agency stopped doing something for you--or for someone in your family--stopped giving you some sort of service, which you wanted and needed? Can you tell me about it?

11. Can you think of a time when the agency made you--or some one in your family do something--like attend meetings or enroll your child somewhere or do something else which you didn't want to do or didn't think was necessary? Can you tell me about it?

12. You've been a big help. Now I have some questions about how you feel about the agency and your worker. For these I'm just interested in which answer comes closest to what you think.

A. How much say do you have in what your worker or the agency does about your case?

A Great Deal of Say	A Lot of Say	Some Say	Very Little or No Say
1	2	3	4

B. How much say do you have in whether you get some kind of service or program that you want for your self or your family?

A Great Deal of Say	A Lot of Say	Some Say	Very Little or No Say
1	2	3	4

C. How much say do you have in not taking part in a program when your worker or the agency want you to and you don't want to.

A Great Deal of Say	A Lot of Say	Some Say	Very Little or No Say
1	2	3	4

D. By and large, do you think your worker and the agency have treated you and your family fairly? Would you say:

Very Fairly	Usually Fair	Sometimes Fair	Rarely or Not At All Fair
1	2	3	4

E. Do you think your worker or the agency in interested in your opinions and suggestions about your case?

Very Interested	Quite Interested	Somewhat Interested	Shows Little or No Interest
1	1	2	3

F. Would you say your worker and the agency have treated you and your family with respect and dignity?

With a Lot of Respect	With Quite a Bit of Respect	With Some Respect	With Little or No Respect
1	2	3	4

G. How concerned do you think your worker and the agency is about you and your family.

Very Concerned	Quite Concerned	Somewhat Concerned	Little or Not at All Concerned
1	2	3	4

H. How satisfied are you with the services and programs the agency has offered to you and your family?

Very Satisfied	Quite Satisfied	Somewhat Satisfied	Very Little or Not At All Satisfied
1	2	3	4

I. When you're not satisfied with the services and programs the agency has offered you, is there much you can do about it?

There's a Lot I Can Do	There's Quite a Bit	I Can Do Little	I Can't Do Much At All
1	2	3	4

J. How satisfied are you with the way you and your family have been treated by the worker and the agency?

Very Satisfied	Quite Satisfied	Somewhat Satisfied	Very Liffle or Not Satisfied
1	2	3	4

K. Sometimes your worker or the agency makes decisions which affect you and your family. Do you think you understand why these decisions are made?

Always or Almost Always Understand	Often Understand	Sometimes Understand	Rarely or Never Understand
1	2	3	4

THANK YOU VERY MUCH FOR YOUR COOPERATION:

Client Name Client Number

(Staff Questionnaire: Knowledge of IPR, Perceptions About Clients, Morale and Job Satisfaction)

TEXAS DEPARTMENT OF HUMAN RESOURCES

FAIR HEARINGS PROJECT

This questionnaire is being given to you to find out how effective the training for the Informal Panel Review (IPR) was and to get some of your ideas about the IPR and your job. All information will be kept confidential none of your fellow workers or supervisors will see your responses. Please complete all items--We want to know what you think. Please do not sign the questionnaire or add any identifying informatoin.

For each item, please check the one response closest to what you think.

1. How thorough and complete was your training for the IPR?

Very thorough	Quite thorough	Fairly thorough	Not very thorough
1	2	3	4

2. After the training, how well do you understand the reasons for the IPR?

Understand them very well	Understand them quite well	Understand them somewhat	Understand them a little or not at all
1	2	3	4

2. After the training, how well do you understand the IPR procedures?

Understand them very well	Understand them quite well	Understand them somewhat	Understand them a little or not at all
1	2	3	4

4. What further information would you like to have received at the training?_____

_____

5. Which issues do you think the IPR's are designed to deal with: (check as many as apply)

___a. Reviews of denials of services to clients

___b. Reviews of intake decisions

___c. Reviews of terminations of services

___d. Reviews of investigation decisions

___e. Reviews of client requests for additional services

___f. Reviews of temporary removals of children

6. As you understand the IPR, How does the client go about requesting a review?

___a. By asking his or her caseworker

___b. By filling out a form and giving it to his or her worker

___c. By calling the agency

___d. By calling a supervisor

___e. By filing a formal written request for a review.

___f. Don't know

7. As you understand the IPR, who may participate:

A. The client	Yes___	No___	Don't Know___
B. The client's worker	Yes___	No___	Don't Know___
C. The worker's supervisor	Yes___	No___	Don't Know___
D. A friend, or advocate for the client	Yes___	No___	Don't Know___
E. The client's attorney	Yes___	No___	Don't KNow___
F. Other workers who might be interested	Yes___	No___	Don't Know___

8. As you understand the IPR, who makes the final decision? (Check one)

___a. The Panel, by a majority vote

___b. The Panel, by a unanimous vote

___c. The Program Director

___d. Other person (specify)_____

9. What do you see as the main benefits of the IPR? (Check as many as apply)

___a. Give clients a change to be heard

___b. Give social workers a change to be heard

___c. Provide an impartial forum for reviewing issues

___d. Give clients a chance to participate in decision-making

___e. Improve clients sense of respect and worth

___f. The IPR has few or no benefits

___g. Other--please specify _____

_____

10. What do you see as the main problems and difficulties with the IPR? (Check as many as apply)

___a. They will take a lot of time or money

___b. Clients won't use them

___c. Social workers won't get fair treatment in them

___d. Clients won't get fair treatment in them

___e. They give too much power to the clients

___f. They won't make much difference

___g. The IPR has no costs or difficulties

___h. Other, please specify _____

11. Now we would like to get your ideas about the clients.

a. Judging from clients you have known in this region, do you think clients will be able to understand the purposes of the IPR?

Most or All Will	Many Will	Some Will	Most or All Won't
1	2	3	4

b. Judging from the clients you have known in the region, do you think clients will be able to understand the procedures of the IPR?

Most or All Will	Many Will	Some Will	Most or All Won't
1	2	3	4

c. Judging from the clients you have known in this region, do you think they can actively participate in making decisions about their cases?

Most or All Can	Many Can	Some Can	Most or All Cannot
1	2	3	4

d. Judging from the clients you have known in this region, do you think they can make an important contribution in selecting programs or services which are best for them or their families?

Most or All Can	Many Can	Some Can	Most or all Cannot
1	2	3	4

12. Now, thinking about the IPR, what sort of clients do you think would use the program? (Select one response)

___Mostly clients who have a real problem or question

___Many clients who have a real problem or question, and some clients who just want to complain a lot or cause trouble

___Many clients who just want to complain a lot, and some clients who have a real problem

___Mostly clients who just want to complain a lot or cause trouble.

13. Here are several questions about your work.

A. How satisfied are you that you have been given enough authority by your supervisor to do your job well?

Very Satisfied Satisfied Dissatisfied Very Dissatisfied

1 2 3 4

B. How satisfied are you with your job when you compare it to similar positions in other Regions within the Department of Human Services?

Very Satisfied Satisfied Dissatisfied Very Dissatisfied

1 2 3 4

C. How satisfied are you with the job your supervisor is doing?

Very Satisfied Satisfied Dissatisfied Very Dissatisfied

1 2 3 4

D. How satisfied are you with your freedom to make casework and service decisions without being questioned by your supervisor?

Very Satisfied Satisfied Dissatisfied Very Dissatisfied

1 2 3 4

E. How satisfied are you with your freedom to make casework and service decisions without being challenged by clients?

Very Satisfied Satisfied Dissatisfied Very Dissatisfied

1 2 3 4

14. Finally, how do you feel about the following statements?

	Agree	Uncertain	Disagree
A. The hours of are O.K. here	/___/	/___/	/___/

B. The management is doing its best to give us good working conditions

Agree Uncertain Disagree

C. My boss is always breathing down our necks; he or she watches us too closely

Agree Uncertain Disagree

D. My boss gives credit and praise for work well done.

Agree Uncertain Disagree

E. The management sees that the employees are properly trained for their jobs.

Agree Uncertain Disagree

F. The management is more concerned about the clients than the workers.

Agree Uncertain Disagree

G. Changes are made here with little regard for the welfare of the employees

Agree Uncertain Disagree

H. Management is really interested in its employees.

Agree Uncertain Disagree

I. Management is more concerned with the rights of clients than the rights of the employees.

Agree Uncertain Disagree

J. My supervisor has always been fair in his or her dealings with me.

Agree Uncertain Disagree

K. Management ignores our suggestions and complaints

Agree Uncertain Disagree

/___/ /___/ /___/

L. If a client disagrees with me, I can count on my supervisor to back me up.

Agree Uncertain Disagree

/___/ /___/ /___/

Smaple Interview Form--Client IPR Participant

Name_____ Case # _____ Date_____ Int._____

1. How did you learn about the IPR (note all sources mentioned)

2. What made you decide to ask for an IPR?

3. Did you discuss this decision with anyone else? Who? What was their advice?

4. Did you have any problems asking for an IPR?

5. Did it take long to prepare? What did you do?

6. Did you have help in your preparation?

7. Now, turning to the actual review, what do you think about it?
   a. Was there enough time?
   b. Were you adequately prepared?
   c. Did you understand what was happening?
   d. Did you have a chance to take part and ask questions?
   e. Do you think the panel was fair?
   f. Did they treat you with respect?
   g. Did someone come with you to the hearing? Did that help?

8. If you were to describe the main purpose of the IPR, what would you say? What is it for?

9. Were you told the panel's decision? If so, do you agree with it? Do you think the panel was fair--why or why not?

Did they explain their reasons? Do you understand the reasons?

10. All in all, how would you evaluate the IPR?
    Has it been worth the time and trouble?
    Has it been helpful to you?
    Was it fair?
    Were you treated properly?
11. If there was another situation in which you could ask for an IPR, would you do it again? If not, why not?

12. Having taken part in an IPR, what would you like to see done differently?

Sample Interview Form--Staff IPR Participant

Name_____ Date _____

1. First, about your preparation. What did you do to prepare for the IPR? Did you consult with others? About how much time did it take?

2. In terms of the actual hearing,
   Was there enough time?
   Were you adequately prepared?
   Did you understand what was happening?
   Did you have a chance to ask questions or make statements?
   Do you think the panel was fair?
   Did they treat you with respect?
   Did the client have a friend or advocate with her or him?
   If so, did that make a difference?

3. Do you think the client had a legitimate issue?

4. Was a decision given at the IPR? If so, do you agree with it? Do you think the panel was fair--why or why not? Did they explain their reasons? Do you agree with the reasons?

5. All in all, how would you evaluate the IPR?
   Was it worth the time and trouble?
   Was it helpful to you?
   Was it fair?
   Were you treated properly?

6. If you had a choice, would you appear in an IPR again? If not, why not?

7. Having taken part in an IPR, what would you like to see done differently?